

U.S. DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

3:24 cv 1114

Case No. _____

-----X
FRANK TUFANO

Plaintiff(s),

VERIFIED COMPLAINT

-against-

Reddit, Inc.

Defendant(s).
-----X

**FILED
SCRANTON**

JUL 08 2024

PER _____

SP
DEPUTY CLERK

1. Reddit is the most popular online forum in the USA where users can communicate via links, text posts, images, and videos, with over 70 million daily active users and \$804 million in annual revenue in 2023.
2. Frank Tufano had used the platform to promote his YouTube channel “Frank Tufano,” where he shared his ideas about diet and nutrition on various sections of the forum related to diet. (Including but not limited to r/zerocarb, r/paleo, r/carnivore)
3. Approximately 5 years ago, Frank Tufano was permanently banned from using the entire platform.
4. This was shortly after Frank Tufano made several YouTube videos about other online content creators copying and plagiarizing his own videos.

5. These other “content creators” have vested interests in large corporate entities, and are simply individuals hired to “pretend” to be genuine content creators in order to promote specific products and businesses.
6. Since Frank Tufano is an actual genuine content creator and has his own businesses, Frank Tufano suspects that Reddit prohibited from using the platform so that these “fake” content creators could reap the benefits of more social exposure.
7. If the reddit users knew about Frank Tufano, it would discredit the “content creators” hired by big corporations, as Frank Tufano’s original work and business propositions were being copied and re-introduced by the corporate-hired-individuals.
8. There are also many slanderous and negative posts about Frank Tufano on the website. When searching his name it is clear that there are agents working against Frank Tufano solely to post negative content and discredit his persona to reduce the market impact his business has against these large corporations.

FIRST CLAIM FOR RELIEF
The Sherman Antitrust Act

9. Under the Sherman Act, agreements among competitors to fix prices or wages, rig bids, or allocate customers, workers, or markets, are criminal violations. Other agreements such as exclusive contracts that reduce competition may also violate the Sherman Antitrust Act and are subject to civil enforcement.
10. Reddit is preventing Frank Tufano from being able to post or use on the platform in any capacity in order to reduce competition in the market space.

THIRD CLAIM FOR RELIEF
Refusal to Deal

11. In general, any business — even a monopolist — may choose its business partners. However, under certain circumstances, there may be limits on this freedom for a firm with market power. As courts attempt to define those limited situations when a firm with market power may violate antitrust law by refusing to do business with other firms, the focus is on how the refusal to deal helps the monopolist maintain its monopoly, or allows the monopolist to use its monopoly in one market to attempt to monopolize another market
12. Reddit is refusing to allow Frank Tufano to use the platform to promote his personal being and business in order to monopolize the market in favor of their chosen corporate interests.

FOURTH CLAIM FOR RELIEF
The Federal Trade Commission Act

13. bans "unfair methods of competition" and "unfair or deceptive acts or practices." The Supreme Court has said that all violations of the Sherman Act also violate the FTC Act. Thus, although the FTC does not technically enforce the Sherman Act, it can bring cases under the FTC Act against the same kinds of activities that violate the Sherman Act.
14. Reddit has created the illusion that they are a fair social media platform with an organic user base and genuine business competition.
15. In reality the algorithm is very controlled and only select individuals are allowed to post to the unsuspecting viewer base.

FIFTH CLAIM FOR RELIEF
Monopoly Power

1. Reddit is by far the most popular online social media forum, with no other website being close in comparison.
2. The nature of the forum and its unmatched popularity give Reddit a clear monopoly on this type of social media interaction.
3. Therefore Reddit should face outside or Federal Regulation in conducting fair business and market practices, specifically in preventing it becoming a platform solely for larger corporations and paid influencers to take the entire market share.

SIXTH CLAIM FOR RELIEF
Criminal Conspiracy 18 Pa. C.S. § 903

16. Definition of conspiracy. A person is guilty of conspiracy with another person or persons to commit a crime if with the intent of promoting or facilitating its commission he:
 - a. agrees with such other person or persons that they or one or more of them will engage in conduct which constitutes such crime or an attempt or solicitation to commit such crime; or
 - b. agrees to aid such other person or persons in the planning or commission of such crime or of an attempt or solicitation to commit such crime.
17. Scope of conspiratorial relationship: If a person guilty of conspiracy, as defined by subsection (13) of this section, knows that a person with whom he conspires to commit a crime has conspired with another person or persons to commit the

same crime, he is guilty of conspiring with such other person or persons, to commit such crime whether or not he knows their identity.

18. Duration of conspiracy: For purposes of 42 Pa.C.S. § 5552(d) (relating to commission of offense):
 - a. conspiracy is a continuing course of conduct which terminates when the crime or crimes which are its object are committed or the agreement that they be committed is abandoned by the defendant and by those with whom he conspired
 - b. such abandonment is presumed if neither the defendant nor anyone with whom he conspired does any overt act in pursuance of the conspiracy during the applicable period of limitation; and
 - c. if an individual abandons the agreement, the conspiracy is terminated as to him only if and when he advises those with whom he conspired of his abandonment or he informs the law enforcement authorities of the existence of the conspiracy and of his participation therein
19. Due to the patterns of favoritism in allowing other online influencers to post similar content to Reddit sections, where Frank Tufano is prohibited, Frank Tufano believes that a group of organized individuals are attempting to manipulate the market to promote their own business and persona, therefore benefiting themselves monetarily, unfairly at the expense of Frank Tufano.
20. The alleged individuals would have had to communicate to Reddit moderation and administration staff through the website platform or outside communication services.

JURISDICTION

4. This Court has subject matter jurisdiction pursuant to 28 U.S.C. par. 1332 because there is a complete diversity of citizenship between each plaintiff and Defendant and the amount in controversy exceeds \$75,000.
5. Frank Tufano's permanent residence and domicile is established in Carbondale, PA, at 25 Dundaff ST.
6. The known contact for Reddit, Inc., as advertised on their website contact page, is 548 Market ST, San Francisco, CA 94104

SEVENTH CLAIM FOR RELIEF **Pre-Complaint Discovery 231 Pa. Code § 4003.8**

7. A complete documentation of internal communications between Reddit moderators and administrators in making the decision to prohibit Frank Tufano from being able to use the platform since his permanent site-wide ban in 2019.

PRAYER FOR RELIEF

8. WHEREFORE, by reason of the acts and circumstances alleged herein, Frank Tufano seeks relief from this Court as follows:
 - a. Judgment on each of the claims set forth above against Reddit, Inc.
 - b. An award of compensatory damages according to proof at trial, but in an amount no less than \$1,325,000 the assumed loss in business revenue from Frank Tufano being prohibited from using the Reddit platform to organically grow his business over the past 5 years.

Dated: July 8, 2024

By: /s/ Frank Tufano
Frank Tufano